

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELECTRONICALLY FILED
DOC #:
DATE FILED: 4 - 8 - 09

BLAKE WINGATE, :

Plaintiff, :

- against - :

NEW YORK CITY DEP'T OF CORRECTIONS, et al., :

Defendants. :

**ORDER**

**07 Civ. 8679 (RMB) (RLE)**

**RONALD L. ELLIS, United States Magistrate Judge:**

By correspondence to the Court dated April 6, 2009, Defendants request 1) an extension of time to complete discovery in this case from April 8, 2009, to June 15, 2009; 2) an order directing pro se plaintiff Blake Wingate to appear for a deposition at Assistant Corporation Counsel Michael Suarez's office on April 24, 2009, at 10:00 a.m.; and 3) for an extension of time for the Parties to submit their joint pretrial order to July 15, 2009.

Defendants indicate they have been unable to contact Wingate to obtain his consent for their request. They also note that Wingate failed to appear for his deposition noticed for April 3, 2009, and the additional time they seek is now necessary to complete Wingate's deposition, serve any subsequent discovery demands, and review Wingate's responses to any such discovery demands. Having considered Defendants' request,

**IT IS HEREBY ORDERED THAT**

- (1) Wingate **SHALL** appear at the office of Assistant Corporation Counsel Michael Suarez for his deposition on **April 24, 2009, at 10:00 a.m.**;
- (2) the Parties **SHALL** complete discovery in this case no later than by **May 15, 2009**; and

(3) the Parties **SHALL** submit their joint pretrial order in this case to District Judge Berman, in accordance with his rules, no later than **June 15, 2009**. Wingate's failure to appear may result in his case being **DISMISSED** for failure to prosecute.

**SO ORDERED** this 8th day of April 2009  
New York, New York

  
The Honorable Ronald L. Ellis  
United States Magistrate Judge